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PATENT
Attorney Docket No. 28655/37222

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alexander M. Rothacker)	I hereby certify that this paper is being
)	deposited with the United States Postal
Serial No. 09/934,033)	Service as first class mail, postage
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Filed: August 21, 2001)	Commissioner for Patents
)	P.O. Box 1450, Alexandria, Virginia
For: Incremental Weight Training)	22313-1450 on this date:
System, Apparatus, and Methods)	
)	January 19, 2005
Group Art Unit: 3764)	<i>[Signature]</i>
)	Patrick D. Ertel, Reg. No. 26,877
Examiner: Tam M. Nguyen)	Attorney for Applicant

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated October 19, 2004, finally rejecting claims 1-20.

Submitted herewith is a check in the amount of \$250.00 to cover the fee required under 37 C.F.R. §41.20(b)(1). Any additional required fee may be charged, or any overpayment credited, Deposit Account No. 13-2855.

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Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

By:

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January 19, 2005